THE HON'BLE SMT. JUSTICE T.MEENA KUMARI

&

THE HON'BLE SRI JUSTICE K. C. BHANU

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WRIT PETITION NO.27928 OF 2005

Dated: 04.01.2006

Between:

Mohd. Abdul Waheed, S/o.Late M.A.Kareem
R/o.16-11-240, Mossarambagh, Hyderabad.

..... PETITIONER

AND

1. The Station House Officer, Panjagutta Police Station, Hyderabad and others.

Respondents.

HON'BLE SMT. JUSTICE T.MEENA KUMARI

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WRIT PETITION NO.27928 OF 2005

ORDER: (Per Hon'ble Smt. Justice T. Meena Kumari)

This writ petition is taken up on the basis of a telegram dated 21.12.2005 sent by the petitioner to call for the records from the respondents herein with regard to (i) arresting and torturing brutally of Abdul Zahid, son of the petitioner herein, who was arrayed as accused No.5 in Crime No. 1037/2005 of Punjagutta Police Station by the Special Investigation Team (SIT), Hyderabad causing grievous injuries over his body; (ii) the directions given by the XIV Additional Chief Metropolitan Magistrate, Hyderabad to the Jail Superintendent, Central Prison, Chanchalguda, Hyderabad to send the son of the petitioner for medical examination and treatment, which was not done by the jail authorities, when the son of the petitioner was produced before the Court on 19.12.2005. He also apprehends danger to the life of his son at the hands of the respondents and therefore seeks appropriate directions.

A counter affidavit has been filed by the respondents wherein it is stated that the petitioner's son was involved in Crime No. 1037 of 2005 under Sections 302, 307, 120-B I.P.C. and under Section 3 and 5 of the Explosives Substances Act. He was sent to Central Prsion, Chanchalguda, Hyderabad on 19.12.2005 along with co-accused Mohd. Abdul Kaleem. Further, an endorsement was also made on the warrant to the effect "that the Superintendent, Central Prison, Chanchalguda

Hyderabad shall send the accused for medical examination and treatment if necessary. The Jail Medical Officer examined the accused and furnished the medical report which was submitted to XIV Additional Chief Metropolitan Magistrate, Hyderabad. A copy of the said medical report was also appended to the counter affidavit. The respondents, therefore, denied the allegation that the petitioner's son was not sent for medical examination.

Recording the averments made in the counter affidavit, the writ petition is dismissed.

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T. Meena Kumari,J

Date: 4.1.2006

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K.C. Bhanu,J

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